



RECEIVED

DEC 14 2023

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

2023 DEC 14 AM 10:26

GEORGE D. METZ II PRO SE

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

Ofc. Michael Smith Varnville S.C. PD

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Complaint for a Civil Case

Case No. _____
(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	GEORGE D. METZ II PRO SE
Street Address	4980 SE 140th ST
City and County	Summerfield, Marion County
State and Zip Code	Florida 34491
Telephone Number	352-446-8145

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Ofc. Michael Smith Varnville S.C. PD
Job or Title (if known)	
Street Address	95 E Palmetto Ave
City and County	Varnville, Hampton county
State and Zip Code	South Carolina 29944
Telephone Number	(803) 943-2979

Defendant No. 2

Name	
Job or Title (if known)	
Street Address	
City and County	
State and Zip Code	
Telephone Number	

Defendant No. 3

Name	
------	--

Job or Title _____
 (if known)
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____

Defendant No. 4

Name _____
 Job or Title _____
 (if known)
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

42 USC 1983

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) _____, is a citizen of the State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____. Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (*explain*):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Ofc Smith violated my 1st, 4th and 5th amendment rights as well committing prior restraint and 1st amendment retaliation.

Statement of Claim attached.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Punitive damages, two hundred thousand dollars \$200,000

This was a willful and knowingly violation of my rights, I had the law in my hand and he refused to read or understand it. When asked to provide statute numbers of the laws he was claiming applied, he refused to do so.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: Dec 8th, 2023.

Signature of Plaintiff

Printed Name of Plaintiff


GEORGE D. METZ II

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address

1. George Metz is of legal age and a U.S. citizen. He resides in Summerfield, Florida. He is an independent Journalist/Activist.

2. Defendant Officer Michael Smith was employed by the City of Varnville as a police officer at all times relevant to the allegations in this complaint and is a resident and citizen of the state of South Carolina.

3. The City of Varnville is a South Carolina municipality.

4. Defendant Ofc Michael Smith is sued in his individual capacity only.

Facts

5. On 5-26-22 the plaintiff George Metz was in Varnville to record the public employees of the Hampton County SC Health Department.

6. Having arrived close to the end of day, there was no citizens in the lobby. Within 2 minutes of me entering the building, I was accosted and told I was not allowed to film.

7. At 7 minutes into the video (exhibit 1) I walked outside to continue filming through the window as they were closing for the day.

8. At 8:27 in the video Ofc Michael Smith arrives and tells me that I am not allowed to record in the building.

9. At around 8:56 Ofc Smith states that i need to show him something that says i can record or else i have to leave or face arrest.

10. At 9:10 in the video Ofc Smith instructs me to shut down my video recording, Lucky for me that my bodycam was running and he didn't notice it or else i wouldn't of been able to catch his later violations.

11. At 11:33 in the video he threatens me with arrest if I dont provide physical ID.

12. At 13:45 in the video he threatens me with arrest for taking the 5th and not answering his questions.

CLAIM I - 42 USC 1983 - 4TH AMENDMENT CLAIM

Ofc Michael Smith did unlawfully seize my ID without reasonable or even arguable reasonable suspicion that a crime had been committed as the trespassing statute doesnt apply to public property

CLAIM II- 42 USC 1983 - 1ST AMENDMENT CLAIM

Ofc Michael Smith violated my 1st amendment right by forcing me to leave a public area that I was legally allowed to be at, for recording.

CLAIM III - 42 USC 1983 - 5TH AMENDMENT CLAIM

Ofc Michael Smith violated my 5th amendment right by threaten me with arrest if I didn't answer his questions, after i invoked my right to remain silent.

CLAIM IIII - 42 USC 1983 - PRIOR RESTRAINT CLAIM

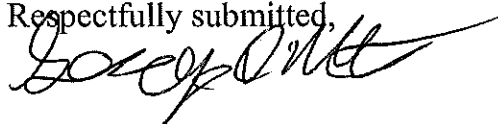
Ofc Michael Smith did violate my rights when he ordered me to cease recording of his unlawful activities and commands.

CLAIM IIIII - 42 USC 1983 - 1ST AMENDMENT RETALIATION CLAIM

It is clear by his actions and words that these violations occurred only due to the fact that I was engaged in exercising my 1st amendment right of free press. Had I not been exercising my rights, I have no doubt I would not have been kicked out, forced to ID, or threatened with arrest for not answering questions.

Dated: October 27th, 2023

Respectfully submitted,



/s George Douglas Metz II Pro Se
George Douglas Metz II Pro Se
4980 S.E. 140th st
Summerfield FL 34491
Phone: 352-446-8145
Email: patriotdiscussions@gmail.com

Jury Demand

Plaintiff requests a trial by jury.

s/ George Douglas Metz II Pro Se